

Congress of the United States
Washington, DC 20515

January 4, 2022

The Honorable Jerrold Nadler
Chairman
The House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Carolyn B. Maloney
Chairwoman
The House Committee on Oversight and Reform
2157 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Nadler and Chairwoman Maloney,

The House Judiciary Committee and the House Oversight and Reform Committee must immediately hold hearings on the mistreatment of individuals being held by the D.C. Department of Corrections while awaiting trial on charges related to the events of January 6, 2021.

The defendants are being held in solitary confinement for extended periods of time and there are numerous credible reports that they are being denied access to legal counsel and face retaliation for meeting with legal counsel. They are being denied medical care, including one defendant who was denied treatment for non-Hodgkin's.¹ This is a disgusting abuse of power and a clear violation of their civil rights.

The abusive use of solitary confinement has been so egregious that even Senator Elizabeth Warren and the ACLU have spoken out.² Senator Warren stated, "I do not believe in solitary confinement for extended periods of time for anyone[.]"³ She also expressed concerns that law enforcement was using solitary confinement to punish the defendants.⁴ Tammie Gregg the Deputy Director of the ACLU National Prison Project has said "Prolonged solitary confinement

¹ Joseph Choi, *Judge Orders Jan. 6 defendant with cancer freed after 'deplorable' conditions found at DC jail*, THE HILL, Nov. 3, 2021, <https://thehill.com/regulation/court-battles/579935-judge-orders-jan-6-defendant-with-cancer-freed-after-deplorable>.

² Kerry Picket, *Solitary confinement for Jan. 6 riot participants draws criticism from Democratic senators and ACLU*, WASHINGTON EXAMINER, June 8, 2021, <https://www.washingtonexaminer.com/news/aclu-capitol-rioters-in-solitary-confinement>.

³ *Id.*

⁴ Kyle Cheney et al., *Jan. 6 defendants win unlikely Dem champions as they face harsh detainment*, POLITICO, Apr. 19, 2021, <https://www.politico.com/news/2021/04/19/capitol-riot-defendants-warren-483125>.

is torture and certainly should not be used as a punitive tool to intimidate or extract cooperation.”⁵

The treatment of these defendants has been so awful and abusive that in October U.S. District Judge Royce C. Lamberth asked the Department of Justice to conduct a civil rights investigation into alleged civil rights violations by the D.C. jail.⁶ He stated, “It’s clear to me the civil rights of the defendant were violated by the D.C. Department of Corrections[.]”⁷

Conditions in the D.C. jail are so bad that following an unannounced inspection the U.S. Marshals Service transferred about 400 prisoners out of the facility.⁸ The Marshals Service found that conditions in the jail “do not meet the minimum standards of confinement[.]”⁹

The allegations of mistreatment are extremely troubling and deserve Congress’ attention. Your committees must immediately hold hearings to investigate the allegations.

Sincerely,



Andy Biggs
Member of Congress



Scott Perry
Member of Congress



Jeff Duncan
Member of Congress



Lauren Boebert
Member of Congress

⁵ Picket, *Solitary Confinement for Jan. 6 riot participants draws criticism from Democratic senators and ACLU*, <https://www.washingtonexaminer.com/news/aclu-capitol-rioters-in-solitary-confinement>.

⁶ Choi, *Judge orders Jan. 6 defendant with cancer freed after ‘deplorable’ conditions found at DC jail*, <https://thehill.com/regulation/court-battles/579935-judge-orders-jan-6-defendant-with-cancer-freed-after-deplorable>.

⁷ Balsamo, Michael & Colleen Long, *Judge Holds DC Jail Officials in Contempt in 1/6 Riot Case*, U.S. NEWS & WORLD REPORT, Oct. 13, 2021, <https://www.usnews.com/news/politics/articles/2021-10-13/judge-holds-dc-jail-officials-in-contempt-in-1-6-riot-case>.

⁸ Josh Gerstein, *Feds transfer 400 prisoners from main D.C. jail due to conditions*, POLITICO, Nov. 2, 2021, <https://www.politico.com/news/2021/11/02/feds-transfer-prisoners-dc-jail-518604>.

⁹ *Id.*

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